

Town Board Minutes

February 17, 2015

Meeting No. 5

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 17th day February of 2015 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM , COUNCIL MEMBER
MARK AQUINO, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: _____

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
KEVIN LOFTUS, DEPUTY TOWN ATTORNEY
LEN CAMPISANO, ASST. CODE ENFORCEMENT OFFICER
WILLIAM KARN, POLICE CAPTIAN
MARK LUBERA, INTERIM DIRECTOR, PARKS, RECREATION,
FORESTRY & GROUNDS
LOU CACCIOTTI, DUPUTY HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matters:

- Questions regarding LaFarge Property.
- Maintenance of Public Safety Building.
- Library boiler problems.

Chowaniec, Lee, spoke to the Town Board on the following matter:

- Health Care Insurance for various officials.

Cox, Marsha, spoke to the Town Board on the following matter:

- Questions regarding White Collar contract negotiations.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Construction of Highway Department storage building.
- Compensation adjustment for non-bargaining employees.
- Agreement with Village of Lancaster for Code Enforcement.
- Plowing of sidewalks and questions regarding enforcement of the sidewalk ordinance.

Walter, Matt, Ex. Director of Opera House spoke to the Town Board on the following matter:

- Thanks building crew for maintaining the Town Hall and clearing sidewalks.

PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 1 REZONE OF 00 BROADWAY
INCLUDING LAND BETWEEN 5755 & 5763 BROADWAY

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY
COUNCIL MEMBER AQUINO AND CARRIED, the public hearing was opened.

At 7:17 P.M., the Town Board held a Public Hearing to hear all interested persons upon a
Rezone of 00 Broadway including land between 5755 & 5763 Broadway matter.

The affidavits of publication and posting of this Public Hearing are on file and
a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Mike Metzger, Engineer Representing Developer	Proponent
Patricia Healy	Questions
Carmen Hangauer	Questions
Michele Sporysz	Comments/Questions
Bob Joseph	Comments
John Forys	Opponent
Fred Becker	Comments
Mike Fronczak	Opponent Questions/Comments
Lee Chowaniec	Questions
Paul Cudeck	Comments
Gwen Cassidy	Comments
Russ Skowronski	Comments
Greg Rusinak	Questions

ON MOTION BY COUNCIL MEMBER AQUINO, SECONDED BY COUNCIL
MEMBER RUFFINO AND CARRIED, the public hearing was closed at 8:38 P.M.

Decision on this matter was reserved.

February 17, 2015

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.: No. 2 SPECIAL USE PERMIT –
MANKO TRUCK & AUTO REPAIR**

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY
COUNCIL MEMBER AQUINO AND CARRIED, the public hearing was opened.

At 8:38 P.M., the Town Board held a Public Hearing to hear all interested persons upon a
Special Use permit for Manko Truck & Auto Repair matter.

The affidavits of publication and posting of this Public Hearing are on file
and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
Tom Manko, Petitioner	Proponent
Mike Fronczak	Questions

ON MOTION BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL
MEMBER AQUINO AND CARRIED, the public hearing was closed at 8:42 P.M.

Decision on this matter was reserved.

February 17, 2015

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held February 2, 2015 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

February 17, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 38870 to Claim No. 39071 Inclusive

Total amount hereby authorized to be paid: \$1,342,534.24

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

February 17, 2015

File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
23606		Lovejoy Builders Inc.	36 Ann Marie Dr	Er. Dwlg.-Sin.	
23607		Gregory Henderson	10 Broadmoor Ct	Er. Fence	
23608		Forbes Home Inc.	22 Silent Meadow Lane	Er. Dwlg.-Sin.	
23609		Vanderbilt Properties Inc.	51 Tranquility Trl	Er. Dwlg.-Sin.	
23610		Marrano/Marc Equity Corp.	44 Newberry Ln	Er. Dwlg.-Sin.	
23611		Frank Prell	496 Pleasant View Dr	Er. Garage	
23613		Moeller Sign Service	3615 Walden Ave	Er. Sign – Wall	(V/L)
23614		Erin & Mary Kay Myers	66 Creekwood Dr	Er. Porch	
23615		Village of Lancaster Comm.Dev.	11W Main St	Er. Sign – Wall	(V/L)

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

February 17, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17 (F) of the Code of the Town of Lancaster, upon the application of **Julie and Daniel Curtis**, for a Special Use Permit for a Home Occupation (Woodcraft/Gift Shop – Two Chicks and a Rooster) on premises located at 732 Aurora Street, Lancaster, New York, and the Board issued such Special Use Permit on April 6, 2009, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, by letter dated January 19, 2015, **Julie and Daniel Curtis** have requested that the Town Board renew the Special Use Permit for an additional two (2) year period, and

WHEREAS, the Code Enforcement Officer has recommended his approval of this Special Use Permit in his letter dated January 26, 2015;

**NOW THEREFORE, BE IT
RESOLVED, as follows:**

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Julie and Daniel Curtis**, for a Home Occupation ((Woodcraft/Gift Shop – Two Chicks and a Rooster) on premises located at 732 Aurora Street, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance for the period beginning April 6, 2015 and ending April 5, 2017, and
2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Section F, of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely
 - a. This Special Use Permit terminates when the applicant no longer resides on the premises.
 - b. Permit must be renewed every two (2) years at no additional cost to applicant.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

February 17, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, §1660 (18) Vehicle and Traffic Law of the State of New York authorizes the Town to restrict and prohibit the parking of vehicles on all roads within the Town except State Highways, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled, "VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER";

NOW, THEREFORE,
BE IT RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 2nd day of March, 2015, at 7:15 o'clock P.M., Local Time, and that Notice of the Time and Place of such hearing be published in the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

February 17, 2015

**LEGAL NOTICE
PUBLIC HEARING
AMENDMENT TO VEHICLE & TRAFFIC ORDINANCE
TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK
DESIGNATED AS CHAPTER 46 OF THE CODE OF THE TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 17th day of February, 2015, the said Town Board will hold a Public Hearing on the 2nd day of March, 2015 at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendments to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of said Town:

CHAPTER 46

ARTICLE X – Parking, Standing, and Stopping

46-12. Parking prohibited in designated locations, is hereby amended by adding thereto the following:

A. The parking of vehicles is hereby prohibited in any of the following locations:

(34) Windsor Ridge Subdivision

(a) On the south side of Windsor Ridge from #2 Windsor Ridge, west to the intersection of Lake Avenue.

and

ARTICLE X – Parking, Standing, and Stopping

46-13. Standing prohibited in designated locations, is hereby amended by adding thereto the following:

A. The standing of vehicles is hereby prohibited in any of the following locations:

(34) Windsor Ridge Subdivision

(a) On the south side of Windsor Ridge from #2 Windsor Ridge, west to the intersection of Lake Avenue.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN
Town Clerk**

February 19, 2015

Abraham/ _____ Request Bids For Highway Department Pre-Engineered Storage
Building

At the request of Supervisor Fudoli, Council Member Abraham withdrew this resolution
for further study.

February 17, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Cross Creek Subdivision, Phase VI within the Town of Lancaster, and

WHEREAS, the Town Engineer by letter to the Town Clerk dated February 10, 2015 has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated February 11, 2015 has reported his favorable review for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that completed Public Improvements No. 732 - Pavement & Curb, No. 733 - Storm Sewer and No. 734 - Water Line within Cross Creek Subdivision, Phase VI be and are hereby approved and accepted by the Town Board of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Town of Lancaster, under the Lease Management Agreement with the Erie County Water Authority, shall commence payment for the additional two fire hydrants authorized for this subdivision with the next billing cycle, and

BE IT FURTHER

RESOLVED, that the Town Attorney is directed to attend to filing the deed causing the dedication of the roads to the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

February 17, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town of Lancaster requested statements of qualifications from architectural, engineering and/or testing firms for purposes of selecting firms that are qualified to provide architectural, engineering and/or testing services to the Town, and

WHEREAS, the Town has reviewed responses to the request for statements of qualifications, and based on that review has identified the firms with which the Town wishes to enter into a letter of intent with regard to such services.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby selects the following firms that the Town will consider for the provision of architectural, engineering, and/or testing services to the Town, and authorizes and directs the Supervisor to execute a letter of intent with each such firm in substantially the form presented:

BHNT Architects, P.C.
Clark Paterson Lee
DiDonato Associates, P.C.
Empire Geo Services, Inc.
Flynn Battaglia
Foit-Albert Associates
KHEOPS Architecture, Engineering & Survey, DPC
Kideney Architects, P.C.
Lauer-Manguso & Associates Architects
Wendel Companies

BE IT FURTHER,

RESOLVED, that, should the Town determine to utilize any such firm for services on a specific project, the Town shall enter into a contract with each such firm to further define, among other things, the scope of services, the fee and other conditions for such services that will apply.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

February 17, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated February 11, 2015, has recommended the appointment of one (1) individual to the position of Tutor part-time permanent at the Youth Bureau, working not more than nineteen and three-quarter hours per week.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual be and is hereby appointed to the position of Tutor part-time permanent at the Youth Bureau, working not more than nineteen and three-quarter hours per week, effective February 23, 2015, and that this being a part-time position, provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees:

<u>NAME</u>	<u>PAY RATE/HR.</u>
Maria Williams (new hire) Lancaster, NY	\$15.00

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

February 17, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the interim department head of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated February 9, 2015, has recommended the appointment of two (2) individuals to the position of Lifeguard part-time permanent in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby appointed to the position of Lifeguard part-time permanent in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, retroactive to February 2, 2015, and that these being part-time positions, provide no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees:

<u>NAME</u>	<u>PAY RATE/HR.</u>
Alexander Field (new hire) Cheektowaga, NY	\$9.00
Nicholas DiPasquale (new hire) Amherst, NY	\$9.00

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

February 17, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AQUINO, TO WIT:

WHEREAS, in the interests of fiscal responsibility and in light of the economic challenges facing the Town of Lancaster (“Town”), the Town Board froze the compensation of the Town’s elected and other officials and non-represented full time employees during the 2012 and 2013 fiscal years, and did not provide any additional monies in the adopted budgets for those fiscal years for compensation increases for any Town employees; and

WHEREAS, the Town Board has determined to provide, as set forth below, a limited compensation adjustment for the Town’s non-represented full time employees and the Town Attorney for the 2014 and 2015 fiscal years in exchange for such employees assuming greater responsibility for the cost of the provision of employee health insurance coverage;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approves, as presented by the administration, the following adjustments to the compensation and benefits of the Town’s current non-represented full-time employees and the Town Attorney:

1. Base wage rates shall be increased by 1% effective January 1, 2014, and 2% effective January 1, 2015;
2. Effective March 1, 2015, non-represented full-time employees and the Town Attorney who are eligible for and who receive health insurance coverage from the Town shall pay 8.5% of the premium equivalent cost of such coverage, pursuant to procedures to be established by the Director of Administration and Finance;
3. As a result of the employee premium contribution established above, the current waiver payment amount provided to non-represented full-time employees and the Town Attorney who are eligible for but who decline Town-provided health insurance coverage shall, effective March 1, 2015, be reduced by 8.5%.
4. The terms of this resolution shall supersede the relevant terms of any previously-adopted resolutions, policies or practices to the contrary.

BE IT FURTHER,

RESOLVED, that the Town Supervisor, the Town Clerk, and the Town Highway Superintendent have agreed and therefore shall be subject to the health insurance premium contribution and waiver payment requirements set forth above, even though these officials shall not receive any adjustment to their current compensation rates.

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	NO
SUPERVISOR FUDOLI	VOTED	YES

February 17, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Windsor Ridge Subdivision, Phase I, Part 2 within the Town of Lancaster, and

WHEREAS, the Town Engineer by letter to the Town Clerk dated February 12, 2015 has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated February 12, 2015 has reported his favorable review for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that completed Public Improvements No. 728 - Pavement & Curb, No. 729 – Detention Basin, No. 730 - Storm Sewer and No. 731 - Water Line within Windsor Ridge Subdivision, Phase I, Part 2 be and are hereby approved and accepted by the Town Board of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the Town of Lancaster, under the Lease Management Agreement with the Erie County Water Authority, shall commence payment for the additional one fire hydrant authorized for this subdivision with the next billing cycle, and

BE IT FURTHER

RESOLVED, that the Town Attorney is directed to attend to filing the deed causing the dedication of the roads to the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

February 17, 2015

COMMUNICATIONS & REPORTS

- 96. Jim & Rose Bules, 195 Peppermint Road to Planning Board Chairman –
Concerns regarding developing of Fox Valley Estates.
Disposition = Received & Filed**
- 97. Erie County Legislature Clerk to Supervisor –
Erie County Legislature Resolution conveying its support for the reform of the
Community College Chargeback Policy. Disposition = Received & Filed**
- 98. James A. Carr, Erie County Dept. of Environment & Planning to Supervisor –
Notice of residents meeting on February 9, 2015, to discuss construction of a
sanitary sewer project known as the Aurora North Pumping Station Elimination
Sanitary Sewer Project. Disposition = Planning Committee**
- 99. Town Clerk to Various News Media –
Notice of rescheduled meeting of the Lancaster Town Board on Tuesday,
February 17, 2015 at 7:00PM. Disposition = Received & Filed**
- 100. Housing Opportunities Made Equal to Supervisor –
Information regarding Fair Housing & Landlord Rights Training classes.
Disposition = Received & Filed**
- 101. William Krug, Erie County Div. of Sewerage Management to Town Clerk –
Comments regarding SEQRA review for 4931 Transit Rd. - Proposed
Retail. Disposition = Planning Committee**
- 102. Regina Harris, Principal Engineer Assistant, Erie County Dept. of Environment
& Planning to Rachel Chrostowski, Planner, Erie County Dept. of Environment &
Planning –
Copy of memo with comments regarding SEQRA review for Self-Storage, 2815-
2819 Wehrle Dr. = Disposition = Planning Committee**
- 103. Patrol Captain Marco Laurienzo to Town Board –
Police Department has no objection to “No Parking” signs on the south side of
Windsor Ridge from #2 Windsor Ridge, west to the intersection of Lake Ave.
Disposition = Received & Filed**
- 104. Lew Pacanowski, Dog Control Officer to Town Board –
Dog report for January 2015. Disposition = Received & Filed**
- 105. Lew Pacanowski, Dog Control Officer to Town Board –
Dog report for December 2014. Disposition = Received & Filed**
- 106. Town Clerk to Various News Media –
Press Release: Town of Lancaster Announces Changes to Dog Licensing Fees.
Disposition = Received & Filed**
- 107. NYSDEC to Supervisor –
Notice of receipt of application for a permit for Foreststream Drive Culvert Lining
South Branch of Slate Bottom Creek. Disposition = Received & Filed**
- 108. Tanya Lords-Quinn, President & Tracy Wareham, Secretary, Millgrove Volunteer
Exempt Firemen’s Benevolent Association to Town Clerk –
Letter to New York State Comptroller with annual report Re: Foreign Fire
Insurance Premiums; period of 1/1/14 – 12/31/14. Disposition = Received & Filed**
- 109. Erie County Legislator Edward Rath, III to Robert Megna, Acting Director NYS
Thruway Authority –
Copy of letter requesting assistance with items discussed at a Public Safety
meeting following the November snowstorm that would be beneficial to both the
County and State. Disposition = Received & Filed**

- 110. Interim General Crew Chief to Planning Board Chairman, Planning Board, Council Member John Abraham, Council Member Ronald Ruffino, Sr., Council Member Donna Stempniak --**
No issues with site plan project for Addition @ Cadby Industrial Park, Proj. #4019, located at 2 Cadby Industrial Park. Disposition = Received & Filed
- 111. Village of Lancaster to Town Board –**
Minutes from regular meeting held on January 26, 2015.
Disposition = Received & Filed
- 112. Town Attorney to Town Board and Planning Board –**
SEQR response from EC Division of Sewerage Management regarding rezone petition for 2815 & 2819 Wehrle Dr. for construction of self-storage units.
Disposition = Received & Filed
- 113. Town Clerk to Town Board –**
Clerk's monthly report for January 2015. Disposition = Received & Filed
- 114. Town Engineer to Town Board –**
Recommend acceptance of PIP#732 (Pavement & Curbs), PIP#733 (Storm Sewer), and PIP#734 (Water Line) for Cross Creek Subdivision, Phase 6.
Disposition = Resolution 2/17/15
- 115. Kristin McCracken to Supervisor –**
Questions and concerns regarding unsigned Notice of Violation/Order to Remedy issued to her by Town Code Enforcement Office. Disposition = Received & Filed
- 116. Brent & Tricia Henderson to Planning Board Chairman –**
Letter of opposition to proposed Fox Valley Estates development on Peppermint Road. Disposition = Received & Filed
- 117. Parkhaven Condominium Board of Managers to Supervisor –**
Letter opposing the road connection to the proposed Broadway Patio Home Community. Disposition = Received & Filed
- 118. Cindy Barnhardt to Town of Lancaster Recreation Department –**
Letter of resignation as member of Lancaster Recreation Commission effective immediately. Disposition = Received & Filed
- 119. Town Attorney to Town Clerk –**
Transmittal of Maintenance Bonds for Cross Creek Subdivision and request for resolution accepting PIP#732 (Pavement & Curbs), PIP#733 (Storm Sewer), and PIP#734 (Water Line) for Cross Creek Subdivision, Phase 6.
Disposition = Planning Committee
- 120. Interim General Crew Chief to Planning Board Chairman, Planning Board, Council Member John Abraham, Council Member Ronald Ruffino, and Council Member Donna Stempniak –**
Not enough information on the Preliminary Plat to make a recommendation for Summerfield Farms, Part 7 (Proj. #3041). Disposition = Received & Filed
- 121. Interim General Crew Chief to Supervisor and Town Board –**
Request for resolution appointing two individuals to the position of part-time permanent lifeguards for the fall/winter of 2015 in the Parks, Recreation & Forestry Dept. retroactive to February 2, 2015. Disposition = Resolution 2/17/15
- 122. Frank & Kathleen Occhiuto to Town Board –**
Letter opposing the road connection to the proposed patio home development to the west. Disposition = Received & Filed

- 123. Executive Director of the Youth Bureau to Supervisor and Town Board --
Recommendation to hire one individual to the position of regular part-time tutor
for the Lancaster Youth Bureau effective February 23, 2015.
Disposition = Resolution 2/17/15**
- 124. Town Engineer to Town Board –
Recommend acceptance of PIP#728 (Pavement & Curbs), PIP#729 (Detention
Basin), PIP#730 (Storm Sewer) and PIP#731 (Water Line) for Windsor Ridge -
Phase 1, Part 2. Disposition = Resolution 2/17/15**
- 125. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**
- 126. Town Attorney to Town Clerk –
Transmittal of Maintenance Bonds for Windsor Ridge Subdivision and request
for resolution accepting PIP #728 (Pavement & Curb), PIP #729 (Detention
Basin), PIP #730 (Storm Sewer), and PIP 731 (Water Line) for Windsor Ridge
Subdivision – Phase 1, Part 2. Disposition = Resolution 2/17/15**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER RUFFINO AND CARRIED,** the meeting was adjourned
at 9:23 P.M.

Signed _____
Johanna M. Coleman, Town Clerk